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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: WILLIAMS et al.

Group Art Unit: 2141

Application No.: 10/823,478

Examiner: Not yet assigned

Filed: April 13, 2004

Atty Dkt. No. 0307091.0176

Title: **SYSTEMS, METHODS AND DEVICES FOR A TELEMATICS WEB SERVICES  
INTERFACE FEATURE**

\* \* \* \* \*

**PETITION TO MAKE SPECIAL UNDER 37 CFR §1.102(d)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

Sir:

Applicant hereby petitions to make the above-identified U.S. patent application special pursuant to MPEP §708.02(VIII). Applicants have submitted herein a detailed discussion of the references, which discussion points out, with the particularity required by 37 C.F.R. §1.111(b) and (c), how the claimed subject matter is patentable over the references pursuant to MPEP §708.02(VIII).

If it is determined that the pending claims are not directed to a single invention, Applicants will make an election without traverse as required under MPEP §708.02(VIII)(B).

Applicants submit that a pre-examination search has been made by a professional searcher in Class 701, subclasses 29, 31, 33, 35 and 207. Additionally, patent publications were searched in the European Patent Office and the Japanese Patent Office.

Enclosed herewith are copies of the following references which are deemed to be the most closely related to the subject matter encompassed by the present claims.

<u>U.S. Patent/Publication No.</u>	<u>Inventor(s)</u>
6,487,494	Odinak et al.
6,609,051	Fiechter et al.
2003/0004624	Wilson et al.
2004/0044454	Ross et al.

## DETAILED DISCUSSION OF THE REFERENCES

### U.S. Patent 6,487,494 (Odinak et al.)

Odinak et al. discloses a system and method for reducing the amount of repetitive data sent by a server to a client for vehicle navigation. The system includes a computer-based vehicle unit located in a vehicle, a gateway configured to wirelessly send and receive trip information to and from the vehicle unit, and a computer-based server in communication with the gateway over a network. The vehicle unit wirelessly receives signals from a computer-based server that includes the desired navigation information in packet form. The vehicle unit includes a user interface component that presents the received navigation information and records user requests. The server processes the requests, generates a trip plan according to the navigation information and sends the generated trip plan back to the vehicle unit via a gateway when a request has been completed. (see abstract).

However, Odinak et al. does not disclose or suggest a web services interface in communication with a secondary system, wherein the web services interface comprises at least one processor configured to retrieve, receive, analyze and transmit data in response to a request from the secondary system, wherein the processor is configured to process at least one servlet module stored thereon to extract at least one parameter from a first message, and transmit the at least one parameter to at least one enterprise Java bean, wherein *the at least one enterprise Java bean is a stateless session bean*.

### U.S. Patent 6,609,051 (Fiechter et al.)

Fiechter et al. discloses a method and system for an improved vehicle monitoring system in order to provide a cost-effective and scalable system design for industrial application through the use of machine learning and data mining technologies on data acquired from a plurality of vehicles to create models. Frequent acquisition of vehicle sensor and diagnostic data enables comparison with the created models to provide continuing analysis of the vehicle with respect to repair, maintenance and diagnostics. (see abstract).

However, Fiechter et al. does not disclose or suggest a web services interface in

communication with a secondary system, wherein the web services interface comprises at least one processor configured to retrieve, receive, analyze and transmit data in response to a request from the secondary system, wherein the processor is configured to process at least one servlet module stored thereon to extract at least one parameter from a first message, and transmit the at least one parameter to at least one enterprise Java bean, wherein *the at least one enterprise Java bean is a stateless session bean*.

U.S. Patent Application Publication 2003/0004624 (Wilson et al.)

Wilson et al. discloses a system and method for monitoring operating parameters of a machine (such as a vehicle) and producing diagnostic and/or prognostic results. Active, semi-active, or semi-passive sensors are wirelessly linked with an interrogator that selectively interrogates the sensors, such as through transponders in wired communication with the sensors. A data concentrator or processor analyzes data from certain sensors and generates diagnostic/prognostic conclusions, in some cases using additional data selectively requested from and acquired by the sensors. In some embodiments, raw or abstracted data is communicated with a management center that provides troubleshooting information (again, possibly using additional, selectively acquired data), makes resource management decisions (such as preparing parts or labor resources to make a repair), and tracks problems in all or a subset of the machines being managed. (see abstract).

However, Wilson et al. does not disclose or suggest a web services interface in communication with a secondary system, wherein the web services interface comprises at least one processor configured to retrieve, receive, analyze and transmit data in response to a request from the secondary system, wherein the processor is configured to process at least one servlet module stored thereon to extract at least one parameter from a first message, and transmit the at least one parameter to at least one enterprise Java bean, wherein *the at least one enterprise Java bean is a stateless session bean*.

U.S. Patent Application Publication 2004/0044454 (Ross et al.)

Ross et al. discloses a method for providing vehicle settings to a telematics unit in a mobile vehicle that includes receiving a vehicle settings update signal at a call center from the

telematics unit and sending vehicle settings from the call center to the telematics unit. The method may additionally include implementing the vehicle settings in the mobile vehicle. The method may further include sending an update flag signal from the call center to the telematics unit. The method may additionally include receiving at least one user preference at the call center via a web portal interface. The step of receiving at least one user preference may further include sending an update flag signal from the call center to the telematics unit responsive to receiving the at least one user preference at the call center via the web portal interface. (see abstract).

However, Ross et al. does not disclose or suggest a web services interface in communication with a secondary system, wherein the web services interface comprises at least one processor configured to retrieve, receive, analyze and transmit data in response to a request from the secondary system, wherein the processor is configured to process at least one servlet module stored thereon to extract at least one parameter from a first message, and transmit the at least one parameter to at least one enterprise Java bean, wherein *the at least one enterprise Java bean is a stateless session bean*.

## THE PRESENT APPLICATION

Embodiments of the present application relate to a telematics system that includes a web services interface in communication with a secondary software system, wherein the web services interface comprises at least one processor configured to retrieve, receive, analyze and/or transmit data in response to a request from the secondary software system. In addition, the telematics system includes a gateway system configured to transmit data through a network to an in-vehicle telematics device and receive data from the in-vehicle telematics device, wherein the data comprises diagnostic data and/or location-based data associated with a host vehicle. The telematics system also includes a database in communication with the gateway system and the web services interface, wherein the database is configured to receive and store data transmitted from the gateway system and/or the web services interface.

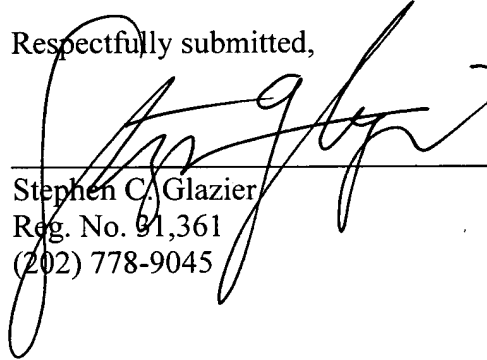
For example, claim 10 includes a web services interface in communication with a secondary system, wherein the web services interface comprises at least one processor configured to retrieve, receive, analyze and transmit data in response to a request from the

secondary system, wherein the processor is configured to process at least one servlet module stored thereon to extract at least one parameter from a first message, and transmit the at least one parameter to at least one enterprise Java bean, wherein *the at least one enterprise Java bean is a stateless session bean.*

As discussed above, Odinak et al., Fiechter et al., Wilson et al. and Ross et al. fail to disclose or suggest one or more elements in claim 10.

Therefore, the present application claims subject matter which is not disclosed, taught or suggested by the foregoing references and is patentable in light thereof. Accordingly, granting of the Petition to Make Special and expedited examination of the claims in the present application are earnestly solicited.

Respectfully submitted,

  
\_\_\_\_\_  
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4 Aug 04  
Date: \_\_\_\_\_

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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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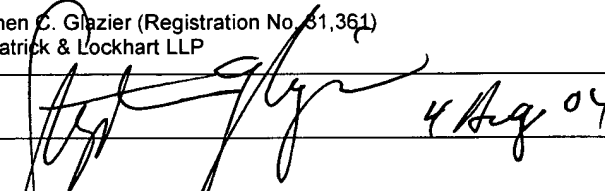
(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	<b>Application Number</b>	10/823,478	
	<b>Filing Date</b>	April 13, 2004	
	<b>First Named Inventor</b>	WILLIAMS et al.	
	<b>Group Art Unit</b>	2141	
	<b>Examiner Name</b>	Not Yet Assigned	
<b>Total Number of Pages in This Submission</b>		<b>Attorney Docket Number</b>	0307091.0176

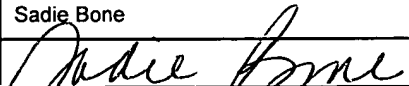
### ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form  <input checked="" type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Response  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Combined Declaration and Power of Attorney  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application)  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Declaration of Mailing by Express Mail  <input checked="" type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  Return Receipt Postcard US Patent Application Publications 2003/0004624 and 2004/0044454 US Patents 6,487,494 and 6,609,051
<b>Remarks</b>		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Stephen C. Glazier (Registration No. 31,361) Kirkpatrick & Lockhart LLP		
Signature			
Date	4 Aug 04		

### CERTIFICATE OF MAILING

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 130

## Complete if Known

Application Number	10/823,478
Filing Date	April 13, 2004
First Named Inventor	WILLIAMS et al.
Examiner Name	Not Yet Assigned
Art Unit	2141
Attorney Docket No.	0307091.0176

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money ☐ Other ☐ None  
Order

☒ Deposit Account:

Deposit  
Account  
Number

50-1721

Deposit  
Account  
Name

Kirkpatrick & Lockhart LLP

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments  
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☐ Charge fee(s) indicated below, except for the filing fee  
to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$) 0

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		-20 **	=	0	X	18	=	0
Independent Claims		-3 **	=	0	X	86	=	0
Multiple Dependent					X		=	0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$) 0

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	130
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$) 130

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Stephen C. Blazier	Registration No. (Attorney/Agent)	31,361	Telephone	202 / 778-9045
Signature		Date	4 Aug 04		

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